

MAR 20 2007



# FAX COVER SHEET

FAX #: (571) 273-8300

TO: Commissioner for Patents

ATTENTION: Examiner Hetul B. Patel

ART GROUP NO.: 2186

FROM: ☐ Jeffrey A. Proehl ☒ Wanita Jacobsma  
☐ Denise Moani NelsonRE: Appln. No. 10/763,734 Filing Date: January 23, 2004  
Applicant: Robert J. BurnettEnclosed: Fee Transmittal  
Amendment in Response to Office Action mailed December 20, 2006.Total Number of Pages (Including cover sheet): 18 (Please call us as soon as possible if you do not receive all pages).

### Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office to 571-273-8300 on March 20, 2007.

A handwritten signature in cursive script that reads 'Wanita Jacobsma'.

Signature

☐ Jeffrey A. Proehl  
☒ Wanita Jacobsma  
☐ Denise Moani Nelson

### **\*\*CONFIDENTIALITY NOTICE\*\***

The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents to us.

### **LAWYERS • EST. 1887**

Street Address: 300 S. Phillips Avenue, Suite 300, Sioux Falls, SD 57104-6322

Mailing Address: P.O. Box 5027, Sioux Falls, SD 57117-5027

Phone: (605) 336-3300 Fax: (605) 330-3357

MAR 20 2007

PTO/SB/17 (01-06)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL  
For FY 2006**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

50.00

**Complete if Known**

Application Number	10/763,734
Filing Date	January 23, 2004
First Named Inventor	ROBERT J. BURNETT
Examiner Name	HETUL B. PATEL
Art Unit	2186
Attorney Docket No.	30047

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 50-0439 Deposit Account Name: GATEWAY, INC.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2036.

**FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
21 - 20 or HP =	1	50	50

HP = highest number of total claims paid for, if greater than 20.

<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 3 or HP =			

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 100 =		/ 50 =	(round up to a whole number) x	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge):

**SUBMITTED BY**

Signature

Registration No. 35,987  
(Attorney/Agent)

Telephone 605-3363890

Name (Print/Type) Jeffrey A. Proehl

Date March 20, 2007

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MAR 20 2007

Appln. No. 10/763,734  
Amendment dated March 20, 2007  
Reply to Office Action mailed December 20, 2006

Docket No. P1938US00  
Attorney's Docket No. 23-0211/30047

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. 10/763,734 )  
First Named Applicant: ROBERT J. BURNETT )  
Filed: January 23, 2004 )  
For: GRID HARD DISK STORAGE MANAGEMENT )  
TC/A.U.: 2186 )  
Examiner: Hetul B. Patel )

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

Sir:

Responsive to the Office Action mailed December 20, 2006, please  
amend the application as follows:

**Amendments to the Specification:** None.

**Amendments to the Claims** are reflected in the listing of claims, which  
begins on page 2 of this paper.

**Amendments to the Drawings:** None.

**Remarks/Arguments** begin on page 9 of this paper.

03/21/2007 TL0111 00000054 500439 10763734  
01 FC:1202 50.00 DA